

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. \_\_\_\_\_

UNITED STATES OF AMERICA, )  
Petitioner, )  
v. ) CERTIFICATION OF A  
THOMAS MATHERLY, ) SEXUALLY DANGEROUS PERSON  
Register Number 34209-037, )  
Respondent. )

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 22nd day of November, 2006.

George E. B. Holding  
United States Attorney

BY: /s/ Michael Bredenberg  
Michael Bredenberg  
Special Assistant U.S. Attorney  
Civil Division  
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Suite 800, Federal Building  
Raleigh, NC 27601-1461  
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 22nd day of November, 2006, served a copy of the foregoing upon the respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope to the Respondent in hand:

Thomas Matherly  
Reg. No.: 34209-037  
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Federal Public Defender's Office  
150 Fayetteville Street Mall  
Suite 450  
Raleigh, North Carolina 27611

/s/ Michael Bredenberg  
Michael Bredenberg  
Special Assistant U. S. Attorney  
Civil Division

**CERTIFICATION OF A SEXUALLY DANGEROUS PERSON**

(1) I, William T. Bickart, am Interim Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following. Inmate Thomas Matherly, Register Number 34209-037, is in Bureau custody at the Federal Correctional Institution Butner, North Carolina in service of a 41 month federal term of imprisonment. Inmate Matherly's projected release date is November 23, 2006, via Good Conduct Time release.

(3) Based on a review of inmate Matherly's Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



\_\_\_\_\_  
William T. Bickart  
Interim Chairperson  
Certification Review Panel  
Federal Bureau of Prisons



\_\_\_\_\_  
Date

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FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. \_\_\_\_\_

UNITED STATES OF AMERICA, )  
                              )  
Petitioner,                )  
                              )  
v.                         )                           ORDER  
                              )  
THOMAS MATHERLY,           )  
Register Number 34209-037, )  
                              )  
Respondent.                )

At the request of the Director of the Bureau of Prisons, the United States has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5). Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the

appropriate fees and expenses to witnesses so subpoenaed.

The Court further ORDERS, pursuant to Title 18 U.S.C. §§ 4247(b) and 4248(b), the appointment of an additional mental health examiner to be selected by the Respondent. Respondent is DIRECTED to file notice with the Court of the name of the additional mental health examiner within five days of the filing of this order.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at \_\_\_\_\_ AM/PM on \_\_\_\_\_ 2007. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2006.

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W. EARL BRITT  
Senior U.S. District Judge